

1 WILLIAM A. BRANDWEIN (CSBN 119138)
2 WILLIAM A. BRANDWEIN, A PROFESSIONAL LAW CORPORATION
3 215 WEST FRANKLIN STREET 5TH FL.
4 MONTEREY, CA 93940
5 Telephone 831-372-3266 (Voice)
6 831-372-0812 (Fax)

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7
8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION

11 _____
12 UNITED STATES OF AMERICA

CV -08-03413 - RS

13 Plaintiff,

14 vs.

15 JOHN & NANCY BENNETTS, ETAL

16 Defendant.

**STIPULATION TO CONTINUE
HEARING ON MOTION FOR
SUMMARY JUDGMENT AND
ORDER, MODIFIED BY COURT**

17 _____
18 The parties hereby stipulate and agree, subject to Court approval, to the
19 following:

20 The parties to this action, by and between their counsel, respectfully request that
21 the Court continue the hearing on the Motion for Summary Judgment filed by the United
22 States, currently scheduled for April 1, 2010 at 1:30 PM to April 15, 2010 at 1:30 PM or
23 such other date as the Court orders.

24 Defendants, John and Nancy Bennetts, request the continuance to allow
25 additional time to effectuate the terms of a possible settlement

26 IT IS SO STIPULATED:
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2 Respectfully submitted,

3 William A. Brandwein

4 WILLIAM A. BRANDWEIN
5 Attorney for Defendants
6 John & Nancy Bennetts

7
8 JOSEPH RUSSONIELLO
United States Attorney

9 /s/ Cynthia Stier
10 CYNTHIA STIER
11 Assistant United States Attorney
12 Tax Division, Attorney for Plaintiff

13 EDMUND G. BROWN
14 Attorney General of the State of
15 California

16 JOYCE HEE
17 Supervising Deputy Attorney
18 General

19 /s/Marguerite Stricklin
20 MARGUERITE STRICKLIN

21 Attorneys for Defendant
22 California Franchise Tax Board

23 ORDER

24 The date for the hearing on the Motion for Summary Judgment filed by the
25 United States, currently scheduled for April 1, 2010 at 1:30 PM is rescheduled for April
26 29, 2010 at 1:30 PM. Opposition due per Rule 7. No further continuances without a
27 showing of good cause beyond "additional time for possible settlement."
28

IT IS SO ORDERED.

Dated: March 31, 2010



RICHARD SEEBORG
United States District Judge